

00684.003135.1

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: James Phan
Manabu Kato	)	
	:	Group Art Unit: 2872
Appln. No.: 08/951,635	)	
	:	Confirmation No.: 1809
Filed: October 17, 1997	)	
	:	
For: SCANNING OPTICAL APPARATUS	)	April 13, 2010

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ELEVENTH INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO/SB/08a. Copies of the listed documents, other than U.S. patent documents, are also enclosed.

REMARKS

The following documents were cited in an April 1, 2010 European Search Report (copy provided) in a foreign counterpart application (European Patent Appln. No. 10152653.1) corresponding to the subject application:

- (1) EP 0 441 350 A2;
- (2) US 5,025,268;
- (3) JP-A 06-222296 (and US 5,432,535);
- (4) EP 0 559 423 A1;

(5) Patent Abstracts of Japan, Vol. 018, No. 670 (P-1845), December 16, 1994 (JP-A 6-265807, September 22, 1994) and JP-A 6-265807; and

(6) Patent Abstracts of Japan, Vol. 018, No. 241 (P-1733), May 9, 1994 (JP-A 6-27404, February 4, 1994) and JP-A 6-27404.

Documents (1) and (4) through (6) were cited in the September 16, 1996 and September 26, 2005 Information Disclosure Statements. Document (2) was cited in the June 2, 2008 Notice of Allowability.

#### STATEMENT UNDER 37 C.F.R. § 1.97(e)

Each item of information in this information disclosure statement was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing date of this Statement.

#### FORMAL MATTERS

No fee is believed due; however, any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

#### CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO/SB/08a be returned indicating that such information has been considered.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Daniel S. Glueck/  
Daniel S. Glueck  
Attorney for Applicant  
Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO  
1290 Avenue of the Americas  
New York, New York 10104-3800  
Facsimile: (212) 218-2200  
DSG/jjr

FOHS\_WS 4945439v1